

<p style="text-align: right;">454</p> <p>1 He said she doesn't want you 2 back. You asked why. He said Linda told 3 him that you have recorded conversations 4 in the store? 5 A. That's correct. 6 Q. And you said that's 7 nonsense, Yvette has the final say on 8 that, would you please call her and, you 9 know, check on this? 10 A. That's correct. 11 Q. Was that a correct 12 paraphrasing of it? 13 A. Yes, that's a correct 14 paraphrasing. 15 He did call me back in a 16 timely manner. He did call back. 17 Q. Before you go to the next 18 conversation, I'm sorry, was there 19 anything else in that first time he 20 talked? 21 A. Uhm, I think that was I 22 told -- just right after about the 23 nonsense and, you know, the -- Yvette, 24 you know, to find out from her, and I</p>	<p style="text-align: right;">456</p> <p>1 in Middletown Lowe's so I thought maybe I 2 could stay there. Middletown didn't have 3 a problem with me. 4 He goes there is no part 5 time. He goes -- you are -- 6 And he was very -- he was 7 very careful with, you know, just what he 8 said and stuff. I mean, he was kind of 9 you know, introverted and he basically 10 took his time, so he was really just 11 calm, just like, you know, you know, it 12 happened, you know, there is no part 13 time, you won't be able to go to 14 Middletown, uhm, you know, we are going 15 to have to meet up next week and I will 16 have to get your PDA back, your camera, 17 uhm, PDA, camera, and something else. 18 And I said that's not going 19 to be problem, I will return everything 20 to you. And that's another reason why I 21 didn't think the tape recorder was a 22 problem, because I was taking pictures of 23 everything and I had my PDA, my camera, 24 my tape recorder, and Ideal issued me the</p>
<p style="text-align: right;">455</p> <p>1 know I don't have a rapport with her, but 2 I just know that she makes that decision. 3 And Jeremy did call me back 4 in a timely manner. He called me 5 practically right away, and I don't think 6 he spoke directly with Yvette, but Linda, 7 I don't know if she called Yvette or she 8 already had the nod from Yvette, but she 9 already had something for Yvette for 10 Linda to say to Jeremy, Linda said it's a 11 go and he is not to report back to this 12 store. 13 That's when I asked, well -- 14 so that's Dover. I said what about 15 Middletown? 16 He goes, uhm, what about -- 17 because I'm thinking about how am I going 18 to pay my bills at that time? I can't 19 really be just out of a job. 20 And he was just like, well, 21 there is no part time. 22 I mean, I'm like what do you 23 mean? Because when I first started he 24 told me there was a part-time associate</p>	<p style="text-align: right;">457</p> <p>1 camera and PDA, so I didn't see it being 2 a big deal, but he did get everything the 3 following week. I returned everything to 4 him. And he -- and he just wished me 5 luck on my endeavors and -- it wasn't on 6 bad terms. 7 I just, you know, said, 8 well, you know, I don't know what to do 9 at this stage, but, you know, just have a 10 nice day, and that was it. 11 Q. It sounds like Mr. Leaman 12 was nice to you? 13 A. He was nice to me. 14 Q. Okay. And that you had a 15 rapport with him. 16 A. I had a rapport with him. 17 Q. Did you believe that Mr. 18 Leaman discriminated against you based on 19 your sex or race or national origin? 20 A. No. 21 MS. CLEMONS: Can we go off 22 the record for ten seconds? I may 23 be done. 24 MR. PRIMOS: That's fine.</p>

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WILLIAM HANSON,

<p>1 - - -</p> <p>2 EXAMINATION</p> <p>3 - - -</p> <p>4 BY MR. PRIMOS:</p> <p>5 Q. Mr. Hanson, if you could,</p> <p>6 find Exhibit 8.</p> <p>7 A. Sure.</p> <p>8 Q. It's the recording policy,</p> <p>9 and I just wanted to clarify.</p> <p>10 You indicated that you had</p> <p>11 not seen Exhibit 8 until today and you</p> <p>12 were not aware of it until today;</p> <p>13 correct?</p> <p>14 A. That's right.</p> <p>15 Q. And I just wanted to</p> <p>16 clarify, that if you look down at the</p> <p>17 bottom, Roman Numeral IV, it says,</p> <p>18 location managers and CSC department</p> <p>19 managers are responsible for ensuring</p> <p>20 employees are aware and comply with this</p> <p>21 policy.</p> <p>22 I just wanted to clarify, no</p> <p>23 manager or other Lowe's employee ever</p> <p>24 told you about this policy, did they?</p>	<p>458</p> <p>1 Merchandising.</p> <p>2 Q. Let me ask you this: Were</p> <p>3 the managers at Lowe's, including Yvette</p> <p>4 Schreiber and Linda Myers, aware that you</p> <p>5 used a tape recorder in the store for</p> <p>6 note-taking purposes?</p> <p>7 A. I don't know if they were</p> <p>8 aware, but I made -- I had the tape</p> <p>9 recorder on a regular basis.</p> <p>10 Q. Okay.</p> <p>11 A. If they had seen me, they</p> <p>12 seen me, but they didn't approach me</p> <p>13 about it.</p> <p>14 Q. And you had used that tape</p> <p>15 recorder, not only when you were working</p> <p>16 for Ideal, but also when you were using</p> <p>17 -- working for Spectrum; correct?</p> <p>18 A. That's correct.</p> <p>19 MR. LEAHY: Objection to the</p> <p>20 form.</p> <p>21 BY MR. PRIMOS:</p> <p>22 Q. Just looking at the policy</p> <p>23 just in a couple of places, in paragraph</p> <p>24 C it talks about exceptions to this</p>
<p>459</p> <p>1 A. That's correct.</p> <p>2 Q. And, in fact, just to</p> <p>3 clarify again, Mr. Leaman from Ideal</p> <p>4 actually advised you to use a tape</p> <p>5 recorder to record conversations with Ms.</p> <p>6 Schreiber; correct?</p> <p>7 A. That's correct.</p> <p>8 MR. LEAHY: Objection to the</p> <p>9 form.</p> <p>10 MS. CLEMONS: Yeah.</p> <p>11 MR. PRIMOS: Correct? Is</p> <p>12 that right?</p> <p>13 THE WITNESS: Correct.</p> <p>14 BY MR. PRIMOS:</p> <p>15 Q. And when he told you that,</p> <p>16 did he tell you, well, you know, Lowe's</p> <p>17 prohibits that, though?</p> <p>18 A. No, because I didn't even</p> <p>19 know anything about the tape recorder.</p> <p>20 Q. All right.</p> <p>21 A. And, also, on a footnote,</p> <p>22 Ideal issued me a camera and they are</p> <p>23 talking about unauthorized photography,</p> <p>24 but all I did was take pictures for Ideal</p>	<p>461</p> <p>1 prohibition, and it says, tape recording</p> <p>2 when there is informed consent of all</p> <p>3 parties of the conversation or event.</p> <p>4 I just want to clarify.</p> <p>5 When you were apparently recording this</p> <p>6 conversation with Mr. Vazquez --</p> <p>7 A. Correct.</p> <p>8 Q. -- he knew that you were</p> <p>9 recording that, apparently; correct?</p> <p>10 A. That's correct.</p> <p>11 MR. LEAHY: Objection to the</p> <p>12 form.</p> <p>13 BY MR. PRIMOS:</p> <p>14 Q. Okay. And he didn't object</p> <p>15 to the recording; correct?</p> <p>16 A. Correct.</p> <p>17 Q. And Roman Numeral II,</p> <p>18 purpose, one of the purposes, it says, in</p> <p>19 the second sentence, is to prevent the</p> <p>20 secret taping, recording or listening in</p> <p>21 on any conversation or communication at</p> <p>22 work.</p> <p>23 You never secretly taped</p> <p>24 Mr. Vazquez, did you?</p>

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<p style="text-align: right;">462</p> <p>1 A. That's correct.</p> <p>2 MR PRIMOS: I have no other</p> <p>3 questions.</p> <p>4 - - -</p> <p>5 EXAMINATION</p> <p>6 - - -</p> <p>7 BY MR. LEAHY:</p> <p>8 Q. Mr. Hanson, did you ever</p> <p>9 tell anybody that you were trying to get</p> <p>10 Yvette fired?</p> <p>11 A. No, sir.</p> <p>12 Q. Did you ever tell anybody</p> <p>13 that you were trying to get Linda Myers</p> <p>14 fired?</p> <p>15 A. No, sir.</p> <p>16 Q. When you worked for Ideal,</p> <p>17 you worked in the plumbing and electrical</p> <p>18 departments?</p> <p>19 A. Yes, sir.</p> <p>20 Q. In the Dover store, who was</p> <p>21 the plumbing department manager?</p> <p>22 A. Jeff Ramirez.</p> <p>23 Q. And how about the</p> <p>24 electrical?</p>	<p style="text-align: right;">464</p> <p>1 manager's name.</p> <p>2 MR. LEAHY: I have no</p> <p>3 further questions.</p> <p>4 MS. CLEMONS: Quickly, I</p> <p>5 just have a couple follow-up</p> <p>6 questions.</p> <p>7 - - -</p> <p>8 EXAMINATION</p> <p>9 - - -</p> <p>10 BY MS. CLEMONS:</p> <p>11 Q. Earlier when Mr. Leahy was</p> <p>12 asking you questions, I believe you</p> <p>13 testified that Mr. Leaman knew that you</p> <p>14 had a tape recorder for note-taking</p> <p>15 purposes?</p> <p>16 A. Correct.</p> <p>17 Q. That you had asked him if it</p> <p>18 was okay to use a tape recorder for</p> <p>19 note-taking purposes?</p> <p>20 A. That's correct.</p> <p>21 Q. Did he ever tell you it was</p> <p>22 okay to use it to tape conversations?</p> <p>23 A. We never had that</p> <p>24 conversation -- well, he didn't say it</p>
<p style="text-align: right;">463</p> <p>1 A. Don't quote me on the name,</p> <p>2 but I believe his name was Dan. He just</p> <p>3 became the electrical department manager.</p> <p>4 That's why I'm not fresh on his name.</p> <p>5 Q. So he just became when you</p> <p>6 started there?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Are they the only department</p> <p>9 managers for each of those departments</p> <p>10 during the time that you worked for Ideal</p> <p>11 in the Dover store?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Okay. You may have told me</p> <p>14 this earlier, but who was the store</p> <p>15 manager in Middletown during the time</p> <p>16 that you worked for Ideal?</p> <p>17 A. I said Paul, but that was</p> <p>18 just -- just when I started, they were</p> <p>19 getting a new store manager. Paul was on</p> <p>20 his way out when I was -- I shouldn't say</p> <p>21 that.</p> <p>22 Paul was transferred to</p> <p>23 another store and they got a new store</p> <p>24 manager, but I don't recall the new store</p>	<p style="text-align: right;">465</p> <p>1 directly, but on the -- on the</p> <p>2 conversation where -- he -- in the he</p> <p>3 said/she said conversation, he said the</p> <p>4 only way you can prove that is if it was</p> <p>5 tape recorded.</p> <p>6 Q. And I believe you said</p> <p>7 earlier that he said you can't do that or</p> <p>8 we won't do that or something to that</p> <p>9 effect?</p> <p>10 MR. PRIMOS: Objection to</p> <p>11 the form.</p> <p>12 THE WITNESS: I told him</p> <p>13 that I can't do that.</p> <p>14 BY MS. CLEMONS:</p> <p>15 Q. And I hate to do this, but I</p> <p>16 know you said something that he said</p> <p>17 after that, that that was --</p> <p>18 MR. LEAHY: We won't go</p> <p>19 there.</p> <p>20 MS. CLEMONS: We won't go</p> <p>21 there, that --</p> <p>22 THE WITNESS: That's right,</p> <p>23 after I said I can't do that, he</p> <p>24 said we are not going to go there.</p>

WILLIAM HANSON,

<p>1 BY MS. CLEMONS:</p> <p>2 Q. So did you walk away from</p> <p>3 that conversation believing that it was</p> <p>4 okay to tape conversations within the</p> <p>5 Lowe's store?</p> <p>6 A. Well, that was the end of</p> <p>7 the conversation, because I -- I never</p> <p>8 was going to record any conversations,</p> <p>9 period, before his conversation or after</p> <p>10 his conversation. It wasn't going to</p> <p>11 change the fact that I was still going to</p> <p>12 carry a tape recorder, and it wasn't for</p> <p>13 recording conversations neither.</p> <p>14 Q. So that comment by Mr.</p> <p>15 Leaman didn't change your idea of what</p> <p>16 you were going to use the tape recorder</p> <p>17 for, which was note-taking purposes?</p> <p>18 A. Correct.</p> <p>19 MS. CLEMONS: Okay. That's</p> <p>20 all I have.</p> <p>21 MR. PRIMOS: No further</p> <p>22 questions.</p> <p>23 And we will read and sign,</p> <p>24 like I said.</p>	<p>1</p> <p>2 CERTIFICATE</p> <p>3</p> <p>4</p> <p>5 I HEREBY CERTIFY that the</p> <p>6 witness was duly sworn by me and that the</p> <p>7 deposition is a true record of the</p> <p>8 testimony given by the witness.</p> <p>9</p> <p>10 It was requested before</p> <p>11 completion of the deposition that the</p> <p>12 witness, WILLIAM HANSON, III, have the</p> <p>13 opportunity to read and sign the</p> <p>14 deposition transcript.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>12 Maria N. Damiani,</p> <p>13 Registered Merit Reporter,</p> <p>14 Certified Shorthand Reporter</p> <p>15 Dated: November 17, 2005</p> <p>16</p> <p>17</p> <p>18 (The foregoing certification</p> <p>19 of this transcript does not apply to any</p> <p>20 reproduction of the same by any means,</p> <p>21 unless under the direct control and/or</p> <p>22 supervision of the certifying reporter.)</p> <p>23</p> <p>24</p>
<p>1 (Witness excused.)</p> <p>2 (Deposition concluded at</p> <p>3 approximately 6:19 p.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1</p> <p>2 INSTRUCTIONS TO WITNESS</p> <p>3</p> <p>4 Please read your deposition</p> <p>5 over carefully and make any necessary</p> <p>6 corrections. You should state the reason</p> <p>7 in the appropriate space on the errata</p> <p>8 sheet for any corrections that are made.</p> <p>9 After doing so, please sign</p> <p>10 the errata sheet and date it.</p> <p>11 You are signing same subject</p> <p>12 to the changes you have noted on the</p> <p>13 errata sheet, which will be attached to</p> <p>14 your deposition.</p> <p>15 It is imperative that you</p> <p>16 return the original errata sheet to the</p> <p>17 deposing attorney within thirty (30) days</p> <p>18 of receipt of the deposition transcript</p> <p>19 by you. If you fail to do so, the</p> <p>20 deposition transcript may be deemed to be</p> <p>21 accurate and may be used in court.</p> <p>22</p> <p>23</p> <p>24</p>

WILLIAM HANSON,

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<div style="text-align: center;">ACKNOWLEDGMENT OF DEPONENT</div> <div style="text-align: center;">-----</div> <div style="text-align: center;">I, _____, do</div> <div style="text-align: center;">hereby certify that I have read the</div> <div style="text-align: center;">foregoing pages, 1 - 469, and that the</div> <div style="text-align: center;">same is a correct transcription of the</div> <div style="text-align: center;">answers given by me to the questions</div> <div style="text-align: center;">therein propounded, except for the</div> <div style="text-align: center;">corrections or changes in form or</div> <div style="text-align: center;">substance, if any, noted in the attached</div> <div style="text-align: center;">Errata Sheet.</div> <div style="text-align: center;">-----</div> <div style="text-align: center;">WILLIAM HANSON, III DATE</div> <div style="text-align: center;">-----</div> <div style="text-align: center;">Subscribed and sworn</div> <div style="text-align: center;">to before me this</div> <div style="text-align: center;">____ day of _____, 20 ____.</div> <div style="text-align: center;">My commission expires: _____</div> <div style="text-align: center;">-----</div> <div style="text-align: center;">Notary Public</div>	

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